

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Friddle *et al.* Group Art Unit: 1647
Application No.: 10/054,680 Examiner: C. J. Nichols
Filed: 01/22/02
Title: Novel Human Ion Exchanger Proteins and Polynucleotides Encoding the Same Atty. Docket No.: LEX-0301-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF
Commissioner for Patents
Alexandria, VA 22313

Sir:

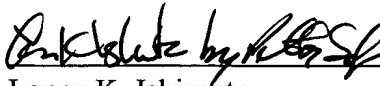
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner in the Final Office Action mailed on September 17, 2003 (Paper No. 10) finally rejecting claims 1-8.

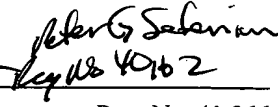
The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$165.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892. Applicants believe no fees in addition to the fees for filing the Notice of Appeal are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to charge any underpayment or credit any overpayment to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

02/24/2004 JADD01 00000071 500892 10054680
02 FC:2401 165.00 DA

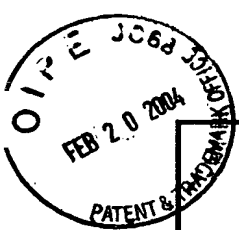
Respectfully submitted,

February 17, 2004
Date


Lance K. Ishimoto
Agent For Applicants


Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3110
Customer # 24231



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FEE TRANSMITTAL for FY 2004 <small>Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	10/054,680
		Filing Date	01/22/02
		First Named Inventor	Friddle
		Examiner Name	C. J. Nichols
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	1647
TOTAL AMOUNT OF PAYMENT		(\$)	165.00
		Attorney Docket No.	LEX-0301-USA

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																															
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866
Signature	<i>Lance K. Ishimoto</i>	Telephone	(281) 863-3333
		Date	February 17, 2004

Customer # 24231

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